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Attorney for Respondent John Craig Turnbull

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

JON ARNOLD WOODARD,)	
)	
Petitioner,)	
)	Case No. 3:05-cv-0089-TMB-JDR-
vs.)	
)	<u>AFFIDAVIT</u> <u>SUPPORTING</u>
JOHN CRAIG TURNBULL, Warden)	<u>UNOPPOSED MOTION FOR TWO-</u>
)	<u>WEEK EXTENSION OF TIME IN</u>
)	<u>WHICH TO FILE RESPONSE TO</u>
Respondent.)	<u>WOODARD'S BRIEF ON THE</u>
_____)	<u>MERITS (On Shortened Time)</u>

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

W. H. Hawley, being first duly sworn, deposes and states:

1. I represent the Respondent.
2. The Respondent's brief is due today.

3. I incorporate by this reference the affidavit I filed on February 12, 2008 in support of the previous request for extension of time.

4. Since requesting and receiving the last extension of time (on February 25, 2008), I filed a response to a petition for hearing in *Walsh v. State*, S-13014.

5. I have now completed a draft response that responds to the introductory matter in Woodard's brief and to the first five claims. I am in the midst of writing the state's response to the eighth (illegal restraint) ground and need to research and write the state's response to the tenth and eleventh grounds. I have worked diligently on this case since receiving the last extension including some time on weekends. One problem is that the transcript is massive. The trial and sentencing consist of 51 volumes (9666 pages); the grand jury transcript is an additional two volumes. I have read a substantial portion of all of the aforementioned transcripts including the sentencing and grand jury in the course of preparing the state's brief. The record is also large. The trial judge wrote lengthy decisions on several issues. If this is not the largest state record that has been before this court, it is certainly close to it.

6. As I said in my previous affidavit, the state's response is further complicated by the fact that the judges of the Alaska Court of Appeals took different positions on many of the issues. Again, the undersigned is unaware of any shortcuts to reading the trial transcript and record and citing

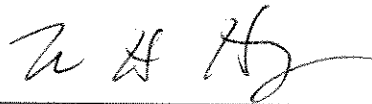
them.

7. I have an oral argument tomorrow in the Alaska Court of Appeals in *Harris v. State*, A-9548. It is a somewhat complicated case and I have to spend the remainder of today preparing for that argument.


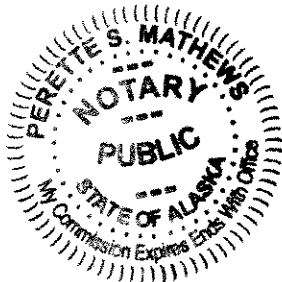
8. Hugh Fleischer has graciously non-opposed this motion.

9. I will complete and file the state's brief in the time requested barring unforeseen emergencies.

Further your affiant sayeth naught.



SUBSCRIBED AND SWORN to before me this 4th day of March,
2008.


Notary Public in and for Alaska